

Appln No.: 10/064,235
Amendment Dated: December 7, 2004
Reply to Office Action of December 1, 2004

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (currently amended) An apparatus having a first end and a second end, the first end comprising a spatulate member having a length along a first axis;

the second end comprising a guide shaped to receive a cylindrical axle for rotation on a second axis, the guide shaped to constrain the first axis in fixed position relative to the second axis and extending for a second length, the first and second axes constrained to lie within a single plane;

the spatulate member extending in a first direction and a second direction from the first axis, the first direction and second direction being on opposite sides of the plane,

the spatulate member extending along its first axis away from the guide for a distance greater than the second length.

2. (original) The apparatus of claim 1 wherein the first and second axes are more than one-quarter inch apart and less than an inch apart.

3. (original) The apparatus of claim 1 wherein the length of the spatulate member is greater than one inch and less than seven inches.

Appln No.: 10/064,235

Amendment Dated: December 7, 2004

Reply to Office Action of December 1, 2004

4. (original) The apparatus of claim 1 wherein the guide comprises two members each extending toward the second axis from the first axis, each of the two members having a hole shaped to receive the cylindrical axle.

5. (currently amended) The apparatus of claim 1, further characterized in that ~~the extensions in the first and second directions define a width~~ a width is defined by the extension in a first direction and a second direction of the spatulate member, the width being less than one-third of the length along a first axis of the spatulate member

6. (original) The apparatus of claim 1 wherein the spatulate member is symmetric relative to the first axis.

7. (original) The apparatus of claim 1 further characterized as being sterile.

8. (original) The apparatus of claim 7 further comprising a wrapper surrounding the first and second ends.

9. (original) The apparatus of claim 1 further characterized as made of plastic.

10. (original) The apparatus of claim 1 further characterized as made of metal.

Appln No.: 10/064,235

Amendment Dated: December 7, 2004

Reply to Office Action of December 1, 2004

11. (amended) A system comprising a helical suture instrument and apparatus having a first end and a second end, the first end comprising a spatulate member having a first length along a first axis;

the helical suture instrument having a cylindrical axle defining a second axis and a helical portion, the helical portion having a helical outer diameter and having a second axial length along the second axis, the second end of the apparatus comprising a guide shaped to receive the cylindrical axle for rotation on the second axis, the guide shaped to constrain the first axis in fixed position relative to the second axis, the first and second axes each lying within a plane and constrained to lie within that plane;

the spatulate member extending in a first direction and a second direction from the first axis, the first direction and second direction being on opposite sides of the plane; wherein the first and second axes are farther apart than the helical outer diameter, whereby there is space between the helical portion and the apparatus;

wherein the first length is at least five-sixths of the second length.

12. (original) The system of claim 11 wherein the first length is greater than the second length.

13. (original) The system of claim 11 wherein the guide comprises two members each extending toward the second axis from the first axis, each of the two members having a hole shaped to receive the cylindrical axle.

Appln No.: 10/064,235

Amendment Dated: December 7, 2004

Reply to Office Action of December 1, 2004

14. (original) The system of claim 11, further characterized in that the extensions in the first and second directions define a width, the width being less than one-third of the first length.

15. (original) The system of claim 11 wherein the spatulate member is symmetric relative to the first axis.

16. (canceled)

17. (previously presented) The apparatus of claim 1 wherein the first and second axes are further constrained in that they are parallel to each other.

18. (previously presented) The system of claim 11 further characterized as being sterile.

19. (amended) A system comprising a helical suture instrument and apparatus having a first end and a second end, the first end comprising a spatulate member having a first length along a first axis;

the helical suture instrument having a cylindrical axle defining a second axis and a helical portion, the helical portion having a helical outer diameter and having a second axial length along the second axis, the helical portion surrounding an open helical center, the second end of the apparatus comprising a guide shaped to receive the cylindrical axle for rotation on the second axis, the guide shaped to constrain the first axis in fixed position relative to the second axis, the

Appln No.: 10/064,235

Amendment Dated: December 7, 2004

Reply to Office Action of December 1, 2004

first and second axes each lying within a plane and constrained to lie within the plane;

the spatulate member extending in a first direction and a second direction from the first axis, the first direction and second direction being on opposite sides of the plane;

wherein the first and second axes are farther apart than the helical outer diameter, whereby there is space between the helical portion and the apparatus;

wherein the first length is at least five-sixths of the second length.

20. (new) An apparatus having a first end and a second end, the first end comprising a spatulate member having a length along a first axis;

the second end comprising a guide shaped to receive a cylindrical axle for rotation on a second axis, the guide having a length, the guide shaped to constrain the first axis in fixed position relative to the second axis, the first and second axes constrained to lie within a single plane each lying within a plane;

the spatulate member extending in a first direction and a second direction from the first axis, the first direction and second direction being on opposite sides of the plane;

the length of the spatulate member extending along the first axis from the first end to a distance beyond the length of the guide.

21. (new) A system comprising a helical suture instrument and apparatus having a first end and

Appln No.: 10/064,235

Amendment Dated: December 7, 2004

Reply to Office Action of December 1, 2004

a second end, the first end comprising a spatulate member having a first length along a first axis;

the helical suture instrument having a cylindrical axle defining a second axis and a helical portion, the helical portion having a helical outer diameter and having a second axial length along the second axis, the second end of the apparatus comprising a guide shaped to receive the cylindrical axle for rotation on the second axis, the guide shaped to constrain the first axis in fixed position relative to the second axis, the first and second axes each lying within a plane;

the spatulate member extending in a first direction and a second direction from the first axis, the first direction and second direction being on opposite sides of the plane;

wherein the first and second axes are farther apart than the helical outer diameter, whereby there is space between the helical portion and the apparatus; wherein the first length is at least five-sixths of the second length.

22. (new) A system comprising a helical suture instrument and apparatus having a first end and a second end, the first end comprising a spatulate member having a first length along a first axis;

the helical suture instrument having a cylindrical axle defining a second axis and a helical portion, the helical portion having a helical outer diameter and having a second axial length along the second axis, the helical portion surrounding an open helical center, the second end of the apparatus comprising a guide shaped to receive the cylindrical axle for rotation on the second axis, the guide shaped to constrain the first axis in fixed position relative to the second axis, the first and second axes each lying within a plane;

the spatulate member extending in a first direction and a second direction from the first axis, the first direction and second direction being on opposite sides of the plane; wherein the first and

Appln No.: 10/064,235

Amendment Dated: December 7, 2004

Reply to Office Action of December 1, 2004

second axes are farther apart than the helical outer diameter, whereby there is space between the helical portion and the apparatus; wherein the first length is at least five-sixths of the second length.

23. (new) A helical suture instrument and apparatus having a first end and a second end, the first end comprising a spatulate member having a first length along a first axis;

the helical suture instrument having a cylindrical axle defining a second axis and a helical portion, the helical portion having a helical outer diameter and having a second axial length along the second axis, the second end of the apparatus comprising a guide shaped to receive the cylindrical axle for rotation on the second axis.

24. (new) An apparatus having a first end and a second end, the first end comprising a spatulate member having a length along a first axis; the second end comprising a guide shaped to receive a cylindrical axle for rotation on a second axis, the guide shaped to constrain the first axis in fixed position relative to the second axis, the first and second axes constrained to lie within a single plane;

the spatulate member extending in a first direction and a second direction from the first axis, the first direction and second direction being on opposite sides of the plane;

wherein the first and second axes are more than one-quarter inch apart and less than an inch apart.

25. (new) An apparatus having a first end and a second end, the first end comprising a spatulate member having a length along a first axis;

Appln No.: 10/064,235
Amendment Dated: December 7, 2004
Reply to Office Action of December 1, 2004

the second end comprising a guide shaped to receive a cylindrical axle for rotation on a second axis, the guide shaped to constrain the first axis in fixed position relative to the second axis, the first and second axes constrained to lie within a single plane; the spatulate member extending in a first direction and a second direction from the first axis, the first direction and second direction being on opposite sides of the plane,

wherein the length of the spatulate member is greater than one inch and less than seven inches.

26. (new) An apparatus having a first end and a second end, the first end comprising a spatulate member having a length along a first axis;

the second end comprising a guide shaped to receive a cylindrical axle for rotation on a second axis, the guide shaped to constrain the first axis in fixed position relative to the second axis, the first and second axes constrained to lie within a single plane;

the spatulate member extending in a first direction and a second direction from the first axis, the first direction and second direction being on opposite sides of the plane;

further characterized in that the extensions in the first and second directions define a width, the width being less than one-third of the length.

27. (new) The system of claim 21 wherein the first length is greater than the second length.

28. (new) The system of claim 21 wherein the guide comprises two members each extending toward the second axis from the first axis, each of the two members having a hole shaped to receive the cylindrical axle.

Appln No.: 10/064,235

Amendment Dated: December 7, 2004

Reply to Office Action of December 1, 2004

29. (new) The system of claim 21, further characterized in that the extensions in the first and second directions define a width, the width being less than one-third of the first length.

30. (new) The system of claim 21 wherein the spatulate member is symmetric relative to the first axis.

31. (new) The system of claim 21 further characterized as being sterile.

Appln No.: 10/064,235
Amendment Dated: December 7, 2004
Reply to Office Action of December 1, 2004

Amendments to the Drawings:

The attached drawing sheet includes new Fig. 9. Figure 9 illustrates the helical suturing instrument and apparatus contained within wrapper 90.

Attachment: New Drawing Sheet